

**Amendment and Response**

Applicant: Jong Chan

Serial No.: 09/846,868

Filed: May 1, 2001

Docket No.: 10980422-3

Title: MEMORY CONTROLLER SUPPORTING REDUNDANT SYNCHRONOUS MEMORIES

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**REMARKS**

The following remarks are made in response to the Office Action mailed December 15, 2003. Claims 37-48 were rejected. With this Response, claims 41, 44, and 48 have been amended. Claims 37-48 remain pending in the application and are presented for reconsideration and allowance.

**Objections to the Claims**

The Examiner objected to claims 41 and 44 because of informalities. Applicant has amended claims 41 and 44 to correct these informalities.

The Examiner objected to claim 48 because claim 48 was dependent from claim 37 which resulted in a lack of antecedent basis for "the disabling step." Applicant has amended claim 48 to now depend from claim 47.

In view of the above, Applicant respectfully requests that the objections to claims 41, 44, and 48 be removed and that these claims be allowed.

**Claim Rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103**

The Examiner has rejected claims 37-46 under 35 U.S.C. § 102(e) as being anticipated by Jung et al. U.S. Patent No. 6,389,554.

The Examiner has rejected claims 47 and 48 under 35 U.S.C. § 103(a) as being unpatentable over Jung et al., U.S. Patent No. 6,389,554 as applied to claims 37 above, and further in view of Kern et al U.S. Patent No. 5,734,818.

The Examiner used the Jung et al. patent either alone or in combination to reject all pending claims 37-48. The Examiner states that the Jung et al. patent qualifies as a reference under 35 U.S.C. § 102(e). The Jung et al. patent was filed on December 11, 1998 and issued on May 14, 2002. The present application was filed on May 1, 2001 as a Divisional Patent Application claiming priority to Application Serial No. 09/085,204 filed May 27, 1998. Therefore, since the filing date of the parent application 09/085,204 is prior to the filing date of the Jung et al. patent, the Jung et al. patent does not qualify as a reference under 35 U.S.C. § 102(e).

With the Jung et al. patent removed as a reference, all of the rejections to claims 37-48 no longer apply.

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Therefore, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C § 102(e) and § 103(a) rejections to claims 37-48, and request allowance of these claims.

**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 37-48 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 37-48 is respectfully requested.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.



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Any inquiry regarding this Amendment and Response should be directed to either Patrick G. Billig at Telephone No. (612) 573-2003, Facsimile No. (612) 573-2005 or David A. Plettner at Telephone No. (408) 447-3013, Facsimile No. (408) 447-0854. In addition, all correspondence should continue to be directed to the following address:

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Intellectual Property Administration  
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Respectfully submitted,

Jong Chan

By their attorneys,

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Reg. No. 38,080

**CERTIFICATE UNDER 37 C.F.R. 1.8:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 15 day of March, 2004.

By 

Name: Patrick G. Billig